GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – M.A.&U.D. Department - Allegation of corruption in execution of a civil work pertaining to construction of 928 houses Units) in 29 block in G+3 patterns in Survey No.21 at Paradesipalem under JNNURM Scheme in GVMC., Visakhapatnam City by the Engineering Officials of GVMC, Visakhapatnam in collusion with the Contractor – Certain irregularities committed by Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.) - Departmental Proceedings under Rule 9 of A.P.Revised Pension Rules, 1980 read with Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Article of Charges - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 618 **Dated: 23-09-2019.**

Read the following:-

1. G.O.Rt.No.611, M.A. & U.D. (Vig.I) Dept., dated:23.09.2019.
2. G.O.Ms.No.261, M.A. & U.D. (Vig.I) Dept., dated:23.09.2019

O R D E R:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P.Revised Pension Rules, 1980 for instituting departmental proceedings against Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.), Greater Visakhapatnam Municipal Corporation, Visakhapatnam in the reference 2nd read above, it is proposed to hold an inquiry against the said Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.), Greater Visakhapatnam Municipal Corporation, Visakhapatnam in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set-out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom, the articles of charges proposed to be sustained are also enclosed in Annexures III & IV.

3. Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.), Greater Visakhapatnam Municipal Corporation, Visakhapatnam is directed to submit his written statement of his defense within (10) days from the date of receipt of this order.

4. Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.), Greater Visakhapatnam Municipal Corporation, Visakhapatnam is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.), Greater Visakhapatnam Municipal Corporation, Visakhapatnam is further informed that if he does not submit his written statement of defence on or before the date specified in para (3) above, further action will be processed based on the material available.

6. Attention of Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.), Greater Visakhapatnam Municipal Corporation, Visakhapatnam is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that above Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.), Greater Visakhapatnam Municipal Corporation, Visakhapatnam is aware of such a

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representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

To
Sri D. Srirama Murthy, the then Deputy Executive Engineer (Retd.);
(Through the Engineer-in-Chief, Public Health, A.P., Guntur).
The Engineer-in-Chief, Public Health, A.P., Guntur.
Copy to:
The Commissioner, GVMC., Viskhapatnam.
The Director General, Anti Corruption Bureau, AP, Vijayawada
The Secretary to A.P.Vigilance Commission, 5th Building, A.P. Secretariat.
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER

Annexure-I to G.O.Rt.No. 618 , M.A. & U.D.(Vig.I)
Dated: 23.09.2019.

Statement of Articles of Charges framed against Sri D. Srirama Murthy, S/o. Sathyam, the then Dy., Executive Engineer (Retd.,), GVMC., Visakhapatnam

That Sri D. Srirama Murthy, S/o. Sathyam joined in Government service on 28.07.1981 as Draughtsman and while working as Dy., EE, GVMC, Visakhapatnam from 01.01.2009 to 01.12.2014, he has committed grave misconduct in as much as.

Charge -1

That Sri D. Srirama Murthy while working as Dy., Executive Engineer, GVMC, Visakhapatnam had initiated proposals for release of security deposit on 27.07.2013 under his competence without completion of entire work, which is contrary to clause 25 of G.O.Ms.No.94/I&CAD (PW-COD).

Charge-2

That Sri D. Srirama Murthy while working as Dy., Executive Engineer, GVMC, Visakhapatnam failed to issue necessary directions to his subordinate officials in construction of 928 houses (units) in 29 blocks in G+3 patterns in survey No.21 at Paradesipalem under JNNURM scheme.

Thus, Sri D. Srirama Murthy, S/o. Sathyam, while working as Dy., Executive Engineer, GVMC, Visakhapatnam by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of Government Servant and thereby contravened rules 3 (1), (2) & (5) of A.P.Civil Services (Conduct) Rules, 1964.

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

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SECTION OFFICER

Annexure-II to G.O.Rt.No. 618 M.A. & U.D.(Vig.I)
Dated: 23.09.2019.

Statement of Imputation of Charges framed against Sri D. Srirama Murthy, S/o. Sathyam, the then Dy., Executive Engineer (Retd.,), GVMC., Visakhapatnam

That Sri Dompaka Sreerama Murthy, S/o Sathyam is native of Urlam (V), Srikakulam district. His date of birth is 02.06.1956 and he joined in government services on 28.07.1981 as Draughtsman and worked at Municipal Corporation, Visakhapatnam till 13.05.1983. On 14.05.1983, he promoted as draughtsman Grade – II and worked at Municipal Corporation, Visakhapatnam till 02.02.1987. On 03.02.1987, he promoted as Asst., Engineer and worked at Municipal Corporation, Visakhapatnam till 26.07.1990. From 30.08.1990 to 19.04.1991 he worked in Bheemili Municipality. From 19.04.1991 to 04.08.2004 worked in Municipal Corporation, Visakhapatnam. From 11.04.2004 to 23.10.2008 worked in Vizianagaram Municipality. From 23.10.2008 to 31.12.2008 he worked at GVMC, Visakhapatnam. On 01.01.2009, he has further promoted as Dy., EE, worked in GVMC, Visakhapatnam till 01.12.2014. He was retired from Gov., service on attaining the age of superannuation on 30.06.2016. He is here-in-after referred – to – as retired Govt., servant.

A Regular Enquiry was conducted into the allegations of irregularities and corruption in execution of construction of 928 houses (units) in 29 blocks in G+3 patterns in survey No.21 in Paradesipalem under Jawaharlal Nehru National Urban Renewal Mission (JNNURM) scheme in GVMC, Visakhapatnam against Engineering officials of GVMC, Visakhapatnam. Basing on the Regular Enquiry report dtd.05.08.2014 of DSP ACB., Visakhapatnam Range requested to accord permission to register a regular case others, the DG, ACB, AP, Hyderabad vide memo in C.No.11/RE-WVP/2014, dtd.08.08.2014, permitted the DSP,ACB, Visakhapatnam, who registered a case in Cr.No.21/ACB-VSP/2014 U/s 409, 120-B IPC r/w 109 IPC and Sec. 13 (1) (c) (d) r/w 13 (2) of Prevention of Corruption Act, 1988 of ACB Visakhapatnam Range on 08.08.2014 and took up investigation.

Charge -1

That the retired Government servant had initiated proposals for release of security deposit on 27.07.2013 under his competence without completion of entire work, which is contrary to clause 25 of G.O.Ms.No.94/I&CAD (PW-COD).

During the course of investigation, on perusal of seized files / registers, it is found that the Government Servant had recommended for release of security deposit without completion of work i.e., providing syntax water tanks were not executed at all by the agency. On 06.07.2015 during joint inspection conducted by the DSP and Sri Durga Prasad, Chief Engineer and Sri M. Venkata Rao, Asst., Executive Engineer of GVMC, Visakhapatnam of the construction of 928 houses at Paradesipalem in Sy.No.21 by the DSP, ACB, Chief Engineer, it is found that the work i.e., the Sintax water tanks which were not installed by the contractor Sri K.V. Mohana Rao who took up construction. It is contradictory to the recording in page No.85 of MB 1561/08-09 and to the noting in page No.31 of note file 2 in which the completion date was recorded on 29.05.2010 and 31.03.2010 respectively with the total value of work done for Rs.15,31,19,958/- to the fullest sanctioned amount vide sheet No. 22 of file No.2 and the same was brought on record. The security deposit of Rs. 1,10,70,806/- were released on 27.07.2013 without completion of the work vide sheet No.31 of file.No.2 and the same was brought on record. The defect liability period of 2 years does not arise and is contrary to the clause 25 of G.O.Ms.No.94/I&CAD(PW-COD) Department, dt.01.07.2003.

The retired Govt., servant had recommended for relase of security deposits even though the work is not completed, which is contrary to clause 25 of G.O.Ms.No.94/I&CAD(PW-COD) Department, dt.01.07.2003. The water tanks in agreement item.No.80 of Rs.3,48,000/- was also utilized in making paying towards price escalation without verifying the liquidated damages.

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Thus, the retired government Servant had released the security deposit to the contactor without completion of work contrary to clause 25 of GO Ms No.94 dt. 01.07.2003 in the construction of 928 houses (units) in 29 blocks in G+3 patterns in survey No.21 at Paradesipalem under JNNURM scheme and thus, he connived with other engineering officials caused benefit to the contractor and thereby loss to the Government exchequer.

Charge-2:

The retired government servant failed to issue necessary directions to his subordinate engineering officer who had initiated for releasing security deposit without completion of work. Thus, he connived with his subordinate and recommend for release of security deposit without completion of work and caused benefit to the contractor and thereby loss to the Government exchequer.

The retired government servant had not to release security deposit without completion of the work in the construction of 928 houses (units) in 29 blocks in G+3 patterns in survey No.21 at Paradesipalem under JNNURM scheme and thus, he connived with other engineering officials caused benefit to the contractor and thereby loss to the Government exchequer.

Thus, the charged officer Sri Dompaka Sreerama Murthy, S/o Sathyam, Dy., EE, GVMC, Visakhapatnam by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of Government Servant and thereby contravened Rules 3 (1), (2) & (5) of A.P. Civil Services (Conduct) Rules, 1964.

The retired Government Servant has therefore rendered himself liable for regular departmental action for major penalty.

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

Annexure-III to G.O.Rt.No.618, M.A. & U.D.(Vig.I)
Dated: 23.09.2019.

List of Witnesses For Charge-1

1) Sri Nimmadi Durga Prasad, S/o Pydithalli, Chief Engineer, GVMC., Visakhapatnam. He speaks about the contents of letter dtd.12.06.2015 reveals that irregularities and violations in construction of 928 houses at Paradesipalem in Sy.No.21 by concerned the Engineering officials, GVMC, Visakhapatnam and also speaks about the contents of Joint Inspection report dtd.06.07.2015 etc facts.

2) Sri M. Venkata Rao, Asst. Executive Engineer of GVMC, Visakhapatnam. He speaks about the contents of Joint Inspection report dtd. 06.07.2015 at 928 houses at Paradesipalem etc facts.

3) Sri Nagabhusana Rao, Assistant Accounts Officer, State Audit, Visakhapatnam. He speaks about the contents of his letter dtd.Nil regarding observations / irregularities / violations in constructions of 928 houses at Paradesipalem in Sy.No.21 and its related GOs etc., facts.

4) Sri M.Narasimha Rao, DSP, formerly ACB, Visakhapatnam Range and presently working at Coastal Security Police, Rushikonda, Visakhapatnam.

5) Sri K.V.Ramakrishna Prasad, Dy. Supdt. of Police, ACB., Visakhapatnam Range.

List of Witnesses For Charge-2

1) Sri Nimmadi Durga Prasad, S/o Pydithalli, Chief Engineer, GVMC., Visakhapatnam. He speaks about the contents of letter dtd.12.06.2015 reveals that irregularities and violations in construction of 928 houses at Paradesipalem in Sy.No.21 by concerned the Engineering officials, GVMC, Visakhapatnam and also speaks about the contents of Joint Inspection report dtd.06.07.2015 etc facts.

2) Sri Nagabhusana Rao, Assistant Accounts Officer, State Audit, Visakhapatnam. He speaks about the contents of his letter dtd.Nil regarding observations / irregularities / violations in constructions of 928 houses at Paradesipalem in Sy.No.21 and its related GOs etc., facts.

3) Sri M.Narasimha Rao, DSP, formerly ACB, Visakhapatnam Range and presently working at Coastal Security Police, Rushikonda, Visakhapatnam.

4) Sri K.V.Ramakrishna Prasad, Dy. Supdt. of Police, ACB., Visakhapatnam Range.

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

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SECTION OFFICER

Annexure-IV to G.O.Rt.No. 618 M.A. & U.D.(Vig.I)
Dated: 23.09.2019.

List of Documents For Charge-1

1. F.I.R. copy in Cr.No.21/RCO-VSP/2014 of ACB, Visakhapatnam dated 08.08.2014.
2. Letter in C.No.11/RE-WVP/Engg.Wing/2014, dtd.05.08.2014 of Sri M.Somasekhar Rao, Deputy Executive Engineer, Engineering of ACB., AR, Hyderabad containing 10 sheets.
3. Letter dtd.12.06.2015 of Sri Nimmadi Durga Prasad, S/o Pydithalli, Chief Engineer, GVMC., Visakhapatnam along with duties responsibilities of Engineering officials, GVMC, Visakhapatnam 15 sheets along with spiral book containing 132 pages.
4. Letter dtd. Nil of Sri Nagabhusana Rao, Assistant Accounts Officer, State Audit, Visakhapatnam along with copies of GO Ms No.94, dt.16.04.2008 r/w GO No.35, dtd.21.03.2009 - 07 sheets.
5. Measurement Book No.1561/08-09/Page No.85.
6. Sheet No. 31 of File.No.2 - A note file consisting of payment details, copy of administrative sanction proceedings of statement Government relating to the constructions of 928 houses in 29 blocks in G+3 patterns in Sy.No.86 at Gajuwaka shifted to Paradesipalem in Sy.No.21 containing 1 to 31 sheets.
7. Clause 25 of G.O.Ms.No.94/I&CAD\(PW-COD) Department, dt.01.07.2003.
8. Joint Inspection Report dt: 06.07.2015 at construction of 928 houses in Sy.No.21 at Paradesipalem by the DSP, ACB, Chief Engineer and Asst., EE of GVMC, Visakhapatnam – 1 sheet.
9. If any documents are required at the time of enquiry to be submitted.

List of Witnesses For Charge-2

1. F.I.R. copy in Cr.No.21/RCO-VSP/2014 of ACB, Visakhapatnam dated 08.08.2014.
2. Letter in C.No.11/RE-WVP/Engg.Wing/2014, dtd.05.08.2014 of Sri M.Somasekhar Rao, Deputy Executive Engineer, Engineering of ACB., AP., Hyderabad containing 10 sheets.
3. Letter dtd.12.06.2015 of Sri Nimmadi Durga Prasad, S/o Pydithalli, Chief Engineer, GVMC., Visakhapatnam along with duties responsibilities of Engineering officials, GVMC, Visakhapatnam 15 sheets along with spiral book containing 132 pages.
4. Letter dtd. Nil of Sri Nagabhusana Rao, Assistant Accounts Officer, State Audit, Visakhapatnam along with copies of GO Ms No.94, dt.16.04.2008 r/w GO No.35, dtd.21.03.2009 - 07 sheets.
5. Page No.85 of Measurement Book No.1561/08-09.
6. Clause 25 of G.O.Ms.No.94/I&CAD\(PW-COD) Department, dt.01.07.2003.
7. Joint Inspection Report dt: 06.07.2015 at construction of 928 houses in Sy.No.21 at Paradesipalem by the DSP, ACB, Chief Engineer and Asst., EE of GVMC, Visakhapatnam.
8. Sheet No.22&31 in File No.2 – A note file consisting of payment details copy of administrative sanction proceedings of statement Government relating to the constructions of 928 houses in 29 blocks in G+3 patterns in Sy.No.86 at Gajuwaka shifted to Paradesipalem in Sy.No.21 containing 1 to 31 sheets.
9. If any documents are required at the time of enquiry to be submitted.

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER